

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Evelyn Roig, Assistant Town Clerk / 954-797-1023

PREPARED BY: Evelyn Roig, Assistant Town Clerk

SUBJECT: Minutes

AFFECTED DISTRICT: n/a

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: September 15, 2009 (Special Meeting)

REPORT IN BRIEF: Council minutes from the September 15, 2009 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Motion to approve

Attachment(s): September 15, 2009 minutes

TOWN OF DAVIE
SPECIAL MEETING
September 15, 2009

The meeting was called to order at 12:01 p.m. and was followed by the Pledge of Allegiance. Present at the meeting were Mayor Paul, Vice Mayor Crowley, Councilmembers Caletka, Luis and Starkey. Also present were Town Administrator Shimun, Town Attorney Rayson, and Assistant Town Clerks McDaniel and Roig recording the meeting.

1. **SOLID WASTE ASSESSMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; REIMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Rayson read the resolution by title. Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmember Starkey made a motion, seconded by Councilmember Luis, to approve. In a voice vote, Councilmembers Caletka and Luis dissenting, all voted in favor. (Motion carried 3-2)

Councilmember Caletka expressed that it was indicated to him that there was no increase for the first year only the last three months of this calendar year. He disagreed with the increase because their attorney did not do what was discussed. Councilmember Caletka also stated that he had never voted in favor of the Solid Waste Assessment because they have not delivered as promised.

Mayor Paul asked what happened if the item was denied and she was advised by Mr. Rayson and Mr. Ackerman advised that if the Town did not allocate the assessment, the Town would have to pay Waste Management \$7 million for garbage pick up. As Councilmember Caletka and Luis had indicated their intention to vote against the resolution, as Mayor Paul stated that she had to vote for something that she was opposed to from the very first day but she was legally obligated to vote in favor. She apologized to the public for having to vote in favor.

Councilmember Starkey stated that this may be an additional \$200,000 revenue to the Town from previous years franchise fee collection. At the time of contract approval, this issue should have been discussed. Mayor Paul stated that at the time of contract negotiations, she had other providers come forward to submit proposals and she brought them to Council and Council had turned it down.

Mayor Paul stated that this was very hard and she was placed in a difficult decision when something of this nature comes forward and you fight for something and you don't get the support of your colleagues.

2. FIRE RESCUE ASSESSMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Mr. Rayson read the resolution by title. Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Karen Stenzel-Nowicki expressed her dissatisfaction with the fee increases and stated that the Town needed to look at those organizations that would help the Town with the financial issues and give something in return.

Councilmember Starkey made a motion, seconded by Vice Mayor Crowley to approve the item.

Councilmember Starkey stated that based on the comparable figures provided in the statistical handout, the Town was still on the low end. The Town had to collect fees in order to keep the quality of service as this was what residents expected. The recommendation to Council was to raise the fee to \$130 and no more than that. She didn't like raising fees but she also agreed in maintaining the quality of service and this was why she agreed with the assessment increase.

Councilmember Caletka stated that he had never supported the fire assessment increase and he was not going to start now. He disagreed with this assessment because the fee was based on a flat fee versus being calculated using the millage rate. People bought a home based on what they could pay and this was disproportionally taxed. He stated that if he could, he would use the millage rate since it would make it equitable for everyone. By splitting it between the Police Department and the Fire Department, Council would hold the department head responsible if rates increased. A study should be conducted to see if it would be feasible to charge the fee based on the millage rate. Mr. Shium stated that the Town could only assess what the State allowed.

Mayor Paul understood Councilmember Caletka's concerns in regards to the millage rate and fire fees. The Town could not have high millage and high fees and she would like to hear creative ideas from others. She also stated that starting in September; she would like to see everyone working on next fiscal year's budget instead of waiting until the last minute since next year would be a tougher year.

Councilmember Starkey stated that families should not have to pay based on what they paid for their home or their income and indicated that the response was the same to all. The service was not based on a poor family using the service less than a wealthy family.

Councilmember Starkey made a motion, seconded by Vice Mayor Crowley to approve. In a voice vote, Councilmembers Caletka and Luis dissenting, all voted in favor. (Motion carried 3-2)

There being no further business to discuss and no objections, the meeting recessed at 12:25 p.m.

Approved _____

Mayor/Councilmember

Town Clerk